

AGENDA: May 11, 2004

4.5

CATEGORY: Consent

DEPT.: City Manager

TITLE: Shoreline Amphitheatre – Request for
Early Concert Start Times

RECOMMENDATION

Approve a request submitted by Shoreline Amphitheatre and Clear Channel Entertainment (CCE) to begin several concerts scheduled during the 2004 concert season before the starting times prescribed in the Amphitheatre Lease and Agreement between the City of Mountain View and Shoreline Amphitheatre Partners.

FISCAL IMPACT

There is no fiscal impact directly associated with the approval of the above-listed recommendation.

BACKGROUND AND ANALYSIS

Early Concert Start Times

Section 5.03 of the Amphitheatre Lease and Agreement between the City and Shoreline Amphitheatre Partners (SAP) stipulates that "on weekdays, no show shall start before 7:00 p.m. or end after midnight without the prior written consent of the City. On weekends, no show shall start before 12:00 noon or end after midnight" (Attachment 1).

Language providing for City review and approval of early concert start times was included in the Amphitheatre lease in recognition that some flexibility would be needed in concert start times to schedule/accommodate certain concert events. The City review and approval requirement was also included in the lease to ensure that SAP/CCE would take the necessary actions to minimize traffic congestion impacts resulting from early concert times.

The City has received a request from Shoreline Amphitheatre (Attachment 2) to begin the following concerts earlier than the normally prescribed start time:

- Monday, May 17 – Community School of Music and Arts Choral Festival, 6:30 p.m.
- Friday, June 11 – Live 105 BFD, 1:00 p.m.
- Thursday, July 8 – Rock the Mic, 4:00 p.m. (tentative – date not confirmed).

- Thursday, July 29 – Ozzfest, 9:00 a.m.

Amphitheatre parking lots will open at 4:00 p.m. for the May 17 Choral Festival; 10:30 a.m. for the Live 105 BFD event on June 11; 1:30 p.m. for the Rock the Mic event tentatively scheduled for July 8; and 8:00 a.m. for the Ozzfest on July 29.

With any concert event, staff anticipates there will be impacts, particularly traffic impacts, to businesses, City facilities and residences located in the North Bayshore Area as a result of the early start times. Amphitheatre staff will be contacting and working with more than 60 North Bayshore Area residents and businesses, as well as City staff, to mitigate to the greatest extent possible any additional traffic, noise and/or crowd control impacts that may occur from the earlier concert start times.

Amphitheatre staff will also be coordinating with Valley Transportation Authority (VTA) staff regarding any traffic or construction issues that might arise from the impact of early start times on the Highway 85/101 interchange project. City staff is also working with Amphitheatre traffic control staff to further refine traffic ingress and egress patterns associated with early concert start times to minimize to the greatest extent possible the impacts to nearby North Bayshore Area businesses.

The Tuesday, May 25, Mountain View Market Place event listed in the letter is not an early starting concert but rather a nonconcert event as defined in Section 5.01 of the Amphitheatre lease (Attachment 3). Consequently, staff is following the review and approval process prescribed for nonconcert events for the Market Place event.

Extension of Concert Activities

As Shoreline/CCE has done in the past for some early concert start time events, it will be extending vending and entertainment activities for the Live 105, Lollapalooza and Ozzfest concerts into Parking Lot C. Any licensing, permit and/or crowd control issues associated with the extension of concert activities into Parking Lot C will be coordinated between the venue and the Mountain View Police Department.

Foothill Disposal Collection and Delivery Schedules

Early start times for concerts at Shoreline Amphitheatre can impact solid waste and recycling collection routes/schedules and debris box deliveries for Foothill Disposal, particularly for customers in the City's North Bayshore Area.

Staff requests Council authorization to allow Foothill Disposal to begin solid waste and recycling collection services and debris box deliveries earlier than prescribed in its agreement

with the City in the area(s) impacted by concert traffic on days with early starting concerts. The Amphitheatre would be required to provide a traffic plan showing street closures and/or one-way traffic control to the City and Foothill Disposal at least one week in advance of an early starting concert. Staff would then determine with Foothill Disposal an earlier collection/delivery schedule for the area(s) that will be impacted by the early concerts.

PUBLIC NOTICING

In addition to distributing copies of this report in accordance with the City's standard agenda posting requirements, copies of this report were sent to Shoreline Amphitheatre management personnel, CCE representatives, City staff responsible for traffic and other liaisons with Shoreline Amphitheatre, City Solid Waste Program staff, VTA staff, Foothill Disposal staff and approximately 50 business owners/tenants and residents located in the North Bayshore Area.

Prepared by:

Approved by:

Linda Forsberg
Deputy City Manager

Nadine P. Levin
Assistant City Manager

Kevin C. Duggan
City Manger

LF/9/CAM
601-05-11-04M^

- Attachments:
1. Excerpt – Amphitheatre Lease and Agreement, Section 5.03
 2. Letter from Shoreline Amphitheatre Dated April 20, 2004
 3. Excerpt – Amphitheatre Lease and Agreement, Section 5.01